For brevity, only the basis for the rejection of independent claims 1, 10, and 13 are traversed in detail on the understanding that dependent claims 2-3, 5-8, 11-12, and 18-20 are also patentably distinct over the prior art, as they depend directly from independent claims 1, 10, and 13. Furthermore, dependent claims 2-3, 5-8, 11-12, and 18-20 include additional features that, in combination with those of claims 1, 10, and 13 provide further, separate, and independent bases for patentability.

Claim 1

With respect to independent claim 1, the Examiner asserts that the Dao et al. patent (5,915,207) discloses a system comprising: (1) a satellite communication subsystem, (2) a wireless local area network (LAN) that includes at least one computer, and (3) a mobile unit configured to transfer broadband information as a single nomadic transmission/reception point between the satellite communication subsystem and the wireless LAN using an Ethernet packet switching protocol. However, the Examiner then concedes that the mobile unit taught in the Dao et al. patent is not configured to transfer broadband information as a single nomadic transmission/reception point between the satellite communication subsystem and the wireless LAN. The Examiner contends, however, that the Simon patent (5,570,354) teaches this limitation. Applicant respectfully submits that a careful reading of the Simon patent shows no such teaching.

After careful review, the Dao et al. patent teaches a communication dissemination system that includes a space segment 24, a mobile base station 26, and a wireless LAN 32 which includes mobile users 30. (See Abstract). As shown by the arrow B1 in FIG. 1 of the Dao et al. patent, the communication dissemination system is only capable of broadcasting an information signal 40 in one direction from the space segment 24 to the mobile base station 26. The claimed invention of the present application, however, discloses a bi-directional nomadic tele-computer network for transmission/reception between a satellite communication subsystem and a mobile nomadic transmission/reception unit. Since the communication dissemination system disclosed in the Dao et al. patent is only capable of broadcasting data in one direction, this dissemination system also requires a broadcast server 22 which connects to an information database 36, and a

terrestrial communication uplink 34 which connects the mobile base station 26 to the broadcast server 22. The claimed invention of the present application does not require these additional components.

Thus, in order for a mobile user 30 to access information using the data dissemination system of the Dao et al. patent, the mobile user must send an access service request via a communication uplink 34 to the broadcast server 22. The broadcast server 22 then, in turn, accesses the information database 26 for the requested information. See Col. 5, line 60 to Col. 6, line 23. In the nomadic tele-computer network of the present application, both the satellite communication subsystem and the mobile nomadic transmission/reception unit are capable of bi-directional communication which allows a computer in the wireless LAN to access the Network Operations Center (NOC) without requiring a terrestrial communication uplink 34 and an information database 26. Accordingly, the Dao et al. patent does not teach a mobile nomadic transmission/reception unit for communicating between a satellite communication subsystem and a wireless LAN. Furthermore, the Dao et al. patent teaches away from the claimed invention of the present application in disclosing a uni-directional data dissemination system that has several different required components, in contrast to, the bi-directional communication system of the present application.

The Examiner claims that the Simon patent (5,570,354) discloses "a mobile unit configured to transfer broadband information as a single nomadic transmission/reception point between the satellite communication subsystem and the wireless LAN using an Ethernet packet switching protocol." Again, Applicant respectfully submits that a careful reading of the Simon patent shows no such teaching. The present application sets forth a mobile unit that is a nomadic transmission/reception point between a satellite communication subsystem and a wireless LAN using an Ethernet packet switching protocol. After thorough review, the Simon patent is silent with respect to the mobile unit being used as a nomadic transmission/reception point between a satellite communication subsystem and a wireless LAN. The Simon patent actually teaches a "fixed or base station 20 which is connected via a telephone line 10 with a general telephone network." Col. 2, lines 4-5. The fixed station 20 has a "functional area 22, for example a

building, within which [mobile stations or telephone handsets] can communicate with each other." Col. 2, lines 10-12. Clearly, a fixed station 20 that connects mobile telephones 30 within a functional area 22 (such as a building) to a terrestrial telephone line 10 bears little resemblance to a mobile unit that is used as a nomadic transmission/reception point between a satellite communication subsystem and a wireless LAN using an Ethernet packet switching protocol.

Applicant notes that the Examiner seems to imply that the relay station 40 can operate as a mobile unit that is used as a nomadic transmission/reception point between a satellite communication subsystem and a wireless LAN. However, nothing in the Simon patent indicates that the relay station 40 (1) is mobile, (2) is capable of providing communications as a transmission/reception point between a satellite communication subsystem and a wireless LAN, or (3) is capable of using an Ethernet packet switching protocol. Indeed, the relay station supports a functional area that is not capable of reaching beyond the edge of the functional area supported by the fixed station.

Accordingly, there is nothing to teach, suggest, or imply that the relay station 40 is movable, but rather, the teaching is that such a relay station is not capable of acting as a nomadic transmission/reception point, because it is limited to placement within a small functional area 22 (such as a building) supported by the fixed station 20 which is connected to a terrestrial telephone line 10. This is vastly different from the nomadic tele-computer network of the present application that utilizes a mobile unit as a nomadic transmission/reception point between a satellite communication subsystem and a wireless LAN that includes mobile computers. Accordingly, the mobile unit of the present application is truly nomadic and is unencumbered by either a fixed station or a terrestrial telephone line.

In summary, neither the Dao et al. patent nor the Simon patent discloses a system that is analogous to that set forth in the claimed invention of the present application. The Dao et al. patent discloses a one-way data dissemination system that requires a terrestrial line back channel for accessing an information database via a broadcast server. In contrast, the nomadic tele-computer network of the present application is a bi-directional system that is configured to exclude the use of terrestrial line back channels and an information database. The Simon patent

discloses a non-mobile telephone relay station that is limited in placement to a small functional area produced by a fixed station that utilizes terrestrial telephone lines and a general telephone network to connect mobile telephones. In contrast, the nomadic tele-computer network of the present application sets forth a mobile unit that is a true nomadic transmission/reception point due to its connection to a satellite communication subsystem. Further, since both the Dao et al. patent and the Simon patent utilize terrestrial public telephone lines, they are not capable of acting as secure private intranets.

In short, the Examiner has attempted to combine two patents that teach incompatible technology formats and that have extensively different component requirements in a manner not supported by a factual basis. Accordingly, the shortcomings of the Dao et al. patent are not supplied by the Simon reference.

Claim 10

Independent claim 10 contains all of the elements and limitations of claim 1, and thus, is patently distinct over the Dao et al. patent and the Simon patent for the same reasons stated above with respect to claim 1. Moreover, in independent claim 10, the satellite communication subsystem of the present application is required to operate as a secure private intranet. In contrast, the Dao et al. patent teaches the inclusion of public telephone lines in its communication dissemination system. (See Abstract). Thus, the system disclosed in the Dao et al. patent is not capable of performing as a secure private intranet, and therefore, the Dao et al. patent again teaches away from the invention claimed in the present application. The Simon patent also teaches the inclusion of terrestrial telephone lines 10 and the general telephone network 11. See Col. 2, lines 2-5. Thus, the system disclosed in the Simon patent is not capable of performing as a secure private intranet, and therefore, the Simon patent again teaches away from the claimed invention of the present application. Applicant notes that dependant claims 11 and 12 were referenced by the Examiner as depending from independent claim 1, however dependant claims 11 and 12 depend from independent claim 10.

Claim 13

Again, independent claim 13 contains all of the elements and limitations of claim 1 (with the exception of referring to a mobile hub station instead of a mobile unit), and thus, is patently distinct over the Dao et al. patent and the Simon patent for the same reasons stated above with respect to claim 1. Applicant notes that dependant claims 16 and 18-20 were referenced by the Examiner as depending from independent claim 1, however dependant claims 16 and 18-20 depend from independent claim 13.

Claims Rejections - 35 U.S.C. §103(a) - 4, 14-15, 17, 21-25, and 27-28

Claims 4, 14-15, 17, 21-25, and 27-28 are pending in the present application and were rejected in the Office Action dated September 17, 2001, under 35 U.S.C. §103(a) as being obvious over Dao et al. (U.S. Patent No. 5,915,207) in view of Simon (U.S. Patent No. 5,570,354) and in further view of Parzych (U.S. Patent No. 6,115,384). Applicant respectfully traverses this rejection.

For brevity, only the basis for the rejection of independent claim 22 are traversed in detail on the understanding that dependent claims 23-25 and 27 are also patentably distinct over the prior art, as they depend directly from independent claim 22. Applicant notes that dependant claim 4 was referenced by the Examiner as depending from independent claim 22, however, dependant claim 4 depends from independent claim 1. Applicant also notes that dependant claims 14-15, 17 and 21 were referenced by the Examiner as depending from independent claim 22, however, dependant claims 14-15, 17 and 21 depend from independent claim 13. Furthermore, dependent claims 4, 14-15, 17, 21, 23-25, and 27 include additional features that, in combination with those of claims 1, 13, and 22 provide further, separate, and independent bases for patentability.

Claim 22

With respect to independent claim 22, the Examiner asserts that the Dao et al. patent (5,915,207) discloses a system comprising: (1) a wireless wide area network (WAN) comprising a redundant satellite communication subsystem configured to operate as an intranet, (2) a wireless local area network (LAN), wherein the wireless LAN comprises a plurality of nodes

with an individual personal computer at each of the plurality of nodes, and (3) a mobile unit configured to transfer information as a single nomadic transmission/reception point between the satellite communication subsystem and the wireless LAN, wherein information is transferred over the network. However, the Examiner then concedes that the mobile unit taught in the Dao et al. patent is not configured to transfer broadband information as a single nomadic transmission/reception point between the satellite communication subsystem and the wireless LAN. The Examiner claims, however, that the Simon patent (5,570,354) teaches this limitation. Applicant respectfully submits that a careful reading of the Simon patent shows no such teaching.

Independent claim 22 contains the same element of "a mobile unit configured to transfer information as a single nomadic transmission/reception point between the satellite communication subsystem and the wireless LAN," as recited in claim 1 and as discussed in detail above. Therefore, this claim 22 is patently distinct over the Dao et al. patent and the Simon patent for the same reasons stated above with respect to claim 1.

Moreover, the Examiner further admits that Dao does not teach either (1) a mobile vehicle or portable field unit, or (2) TCP/IP protocols. The Examiner contends, however, that the Simon patent (5,570,354) teaches the first limitation of a "mobile vehicle or portable field unit;" and that the Parzych patent (6,115,384) teaches the second limitation of TCP/IP protocols.

Claim 22 clearly requires "a mobile vehicle or portable field unit" as the third element of the nomadic tele-computer system of the present application. The Examiner asserts that the relay station (Figure 1, label 40) in the Simon patent teaches a "mobile vehicle or portable field unit." However, the relay station in the Simon patent clearly is not a mobile vehicle or portable field unit. Indeed, the Simon patent is completely silent with respect to a mobile unit that is used as a nomadic transmission/reception point between a satellite communication subsystem and a wireless LAN. In contrast, the Simon patent actually teaches a relay station 40 and a "fixed or base station 20 which is connected via a telephone line 10 with a general telephone network." Col. 2, lines 4-5. Absolutely, nothing in the Simon patent indicates that the relay station 40 is

mobile, or was ever even contemplated as being mobile. In fact, the relay station must be positioned within the functional area supported by the fixed station.

Accordingly, there is nothing to teach, suggest, or imply that the relay station 40 is movable, but rather, the teaching is that such a relay station is not capable of acting as a nomadic transmission/reception point, because it is limited to placement within a small functional area 22 (such as a building) supported by the fixed station 20 which is connected to a terrestrial telephone line 10. Thus, Applicant respectfully submits that the Simon patent does not teach or suggest a "mobile vehicle or portable field unit."

Additionally, Applicant respectfully traverses the Examiner's claim that the Parzych patent (6,115,384) teaches the second limitation: the use of TCP/IP protocols (Figure 2, labels 48, 50, and 52) to transfer information using a mobile unit as a single nomadic transmission/reception point between the satellite communication subsystem and the wireless LAN. Initially, Applicant points out that labels 48, 50, and 52 of Figure 2 are not defined in the specification of the Parzych patent, and thus, can not be said to represent TCP/IP protocols. Applicant further respectfully points out that the Parzych patent teaches away from the use of TCP/IP protocols in the transmission of data communications. Specifically, the Parzych patent teaches the practice of converting exchange data out of TCP/IP protocol into a bandwidth-efficient protocol prior to transmission of the exchange data, and then reconverting the bandwidth-efficient protocol back into TCP/IP protocol after the transmission of the exchange data. Thus, the Parzych patent teaches completely away from the present invention which specifically requires the use of TCP/IP protocols to transfer information using a mobile unit as a single nomadic transmission/reception point between the satellite communication subsystem and the wireless LAN. Therefore, Applicant respectfully submits that the Simon patent does not teach or suggest a "the use of TCP/IP protocols to transfer information."

Claim 28

Claim 28 includes the same "mobile vehicle or portable field unit" element as claim 22, except that it requires multiple mobile vehicles or portable field units, rather than a single vehicle or unit. Therefore, Applicant respectfully submits that the objection to claim 28 is overcome for

the same reasons stated above with respect to claim 22. Additionally, claim 28 includes the same "secure private intranet" requirement as claim 13. Therefore, Applicant respectfully submits that the objection to claim 28 is also overcome for the same reasons stated above with respect to claim 10.

Claims Rejections - 35 U.S.C. §103(a) - 9 and 26

Claims 9 and 26 are pending in the present application and were rejected in the Office Action dated September 17, 2001, under 35 U.S.C. §103(a) as being obvious over Dao et al. (U.S. Patent No. 5,915,207) in view of Simon (U.S. Patent No. 5,570,354) and in further view of Rebec et al. (U.S. Patent No. 6,175,717). Applicant respectfully traverses this rejection.

Claims 9 and 26 depend from independent claims 1 and 22 respectively. The basis for the rejection of independent claims 1 and 22 have already been traversed in detail with the understanding that dependent claims 9 and 26 are also patentably distinct over the prior art, as they depend directly from independent claims 1 and 22. Furthermore, dependent claims 9 and 26 include additional features that, in combination with those of claims 1 and 22 provide further, separate, and independent bases for patentability. Therefore, while the Applicant respectfully traverses the Examiner's position regarding the Rebec et al. reference, this issue will not be discussed (in the interest of brevity) due to the above-discussed deficiencies in the Dao et al. patent and the Simon patent.

CLOSURE

Applicant has made an earnest and bona fide effort to clarify the issues before the Examiner and to place this case in condition for allowance. In view of the foregoing discussions, it is clear that the differences between the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art. Therefore, reconsideration and allowance of all of Applicant's claims 1-28 is believed to be in order, and an early Notice of Allowance to this effect is respectfully requested. If the Examiner should have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310)

712-8319. The undersigned attorney can normally be reached Monday through Friday from about 8:30 AM to 5:30 PM Pacific time.

Respectfully submitted,

Dated: 1/11/02

BROOKE W. QUIST
Reg. No. 45,030
BROWN RAYSMAN MILLSTEIN FELDER
& STEINER LLP
1880 Century Park East, Suite 711
Los Angeles, California 90067
(310) 712-8300

BWQ:elm